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ERDA-MR. POOR

ACDA-MR. BORIGHT

OES-MR. JENKINS

NSC-DR. ELLIOTT

S/S/MR. LUERS

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TAGS:OVIP (KISSINGER, HENRY A.), PARM, FR

SUBJECT: BRIEFING MEMORANDUM - FRENCH VIEWS ON COMMON
SUPPLIER NUCLEAR EXPORT POLICIES

FOR THE SECRETARY FROM VEST THROUGH SONNENFELDT

1. PURPOSE

COMPARISON OF FRENCH AND US VIEWS ON COMMON EXPORT
POLICIES FOR NUCLEAR SUPPLIERS.

2. BACKGROUND

WE HAVE HAD SUBSTANTIVE TALKS WITH THE FRENCH ON
JANUARY 13 AND 14 AND FOLLOW-UP TALKS ON FEBRUARY 28 ON
THE US PROPOSAL FOR COMMON SUPPLIER POLICIES ON SAFEGUARDS
CONDITIONS FOR NUCLEAR EXPORTS. IN THE LATEST TALKS, THE
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FRENCH GAVE US A PAPER OUTLINING FRENCH VIEWS ON THE US

PROPOSAL. THE FRENCH DELEGATION PRESENTED THE PAPER AS THE ,MAXIMUM COMMITMENT THAT FRANCE WOULD BE WILLING TO MAKE. HOWEVER, IT BECAME CLEAR IN THE DISCUSSIONS THAT IN SOME AREAS THERE APPEARED TO BE SOME FLEXIBILITY, WHILE IN OTHER AREAS THE FRENCH DELEGATION DID NOT HAVE SPECIFIC GUIDANCE ON THE DETAILS OF THEIR POSITION.

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3. OVERVIEW

AS A GENERAL OBSERVATION, WE HAVE SEEN A SIGNIFICANT CHANGE IN FRENCH ATTITUDES TOWARD SUPPLIER COOPERATION COMPARED WITH PRE-1974; THEIR MOVEMENT FROM AN ALMOST COMPLETELY ALOOF AND INDEPENDENT POSTURE IN THIS AREA TO THEIR PRESENT WILLINGNESS TO ENGAGE IN FRANK AND DETAILED CONSULTATIONS BILATERALLY IS THE MOST SIGNIFICANT ADVANCE. UNTIL WE APPROACHED THEM LAST FALL, LITTLE WAS KNOWN ABOUT FRENCH SAFEGUARDS POLICY, AND THE FEAR OF FRENCH COMPETITION ON SOFTER SAFEGUARD TERMS WAS AN IMPORTANT NEGATIVE FACTOR IN THE DECISION-MAKING OF OTHER SUPPLIER COUNTRIES. WE NOW KNOW A GOOD DEAL, AND STAND TO LEARN MORE IN FUTURE DISCUSSIONS. MOREOVER, IT IS CLEAR BOTH FROM OUR BILATERAL DISCUSSIONS AND FROM THE PAPER THEY HAVE GIVEN US THAT IN THE PROCESS THEIR POLICIES HAVE MOVED CLOSER TO WHAT THE REST OF US REGARD AS RESPONSIBLE BEHAVIOR, AND THIS PROBABLY REFLECTS FRENCH RECOGNITION OF THE NEED, WITHIN LIMITS, FOR A COMMON SUPPLIER FRONT. THE POSITION THEY HAVE OUTLINED ON OUR SUBSTANTIVE POINTS IN EFFECT REPRESENTS DE FACTO ACCEPTANCE OF NPT WEAPONS-STATE EXPORT OBLIGATIONS FOR FRANCE. IN ADDITION, THEY HAVE SUGGESTED GOING BEYOND THAT POINT IN SEVERAL AREAS: ADHERENCE TO THE EQUIVALENT OF THE ZANGGER "TRIGGER LIST," IMPOSING ADEQUATE PHYSICAL SECURITY CONDITIONS ON EXPORTS, AND SOME LIMITED SPECIAL CONSTRAINTS IN THE CRITICAL AREAS OF ENRICHMENT, REPROCESSING, AND IN EXPORTS TO SENSITIVE COUNTRIES.

THESE ARE IMPRESSIVE ADVANCES, AND WE MAY BE ABLE TO GAIN MORE IN NEGOTIATIONS. BUT THE PROBABLE LIMITS OF FRENCH COOPERATION STILL FALL SHORT OF WHAT THE OTHER SIX MIGHT ACCEPT. IN PARTICULAR, WE WOULD LIKE TO GO FARTHER

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IN CONSTRAINING THE SPREAD OF REPROCESSING, AND IN DEVELOPING COMMON CONSTRAINTS ON EXPORTS TO SENSITIVE AREAS SUCH AS THE MIDDLE EAST. INDEED THE ARGUMENT CAN BE MADE THAT IT IS PRECISELY IN THE MOST DANGEROUS AREAS OF THE WHOLE PROBLEM THAT FRENCH PARTICIPATION WILL LIMIT WHAT WE CAN DO. AND WE MUST RECOGNIZE THAT OTHER PARTICIPANTS MAY HAVE STRONG FEELINGS ABOUT ACCEPTING FRANCE'S WISH TO SET THE LIMITS.

NEVERTHELESS, A SET OF UNDERSTANDINGS WHICH EXCLUDES FRANCE MAY NOT IN THE LONG RUN BE WORTH VERY MUCH. INDEED, THERE IS THE DANGER THAT OTHER KEY SUPPLIERS MAY CHOOSE NOT TO PARTICIPATE WITHOUT FRANCE (THE FRG AND JAPAN HAVE ALREADY LEFT THIS AS A POSSIBILITY). A FRANCE ISOLATED AND OPERATING OUTSIDE OF THE ACCEPTED RULES AND POLITICAL INFLUENCE OF THE REST OF US COULD UNDERCUT ANY SYSTEM WE DEVISE. KEEPING FRANCE WITH US MAY MEAN THAT WE ACHIEVE LESS AT THIS POINT, BUT WHATEVER WE DO ACHIEVE WILL BE MORE

MEANINGFUL, AND GIVE US A BASIS FOR EXPANDING IN THE FUTURE BOTH THE SUBSTANCE OF AND PARTICIPATION IN COMMON SUPPLIER POLICIES. IT IS NOTEWORTHY IN THIS CONNECTION THAT THE FRENCH DELEGATION SAID FRANCE SAW THIS EFFORT AS A FIRST STEP IN CONTINUING US/FRENCH COOPERATION ON THIS SUBJECT.

4. ANALYSIS

A COMPARISON OF THE TEXTS OF THE US PROPOSAL AND THE FRENCH PAPER IS ATTACHED. SIMILARITIES AND DIFFERENCES BETWEEN THE TWO ARE DISCUSSED BELOW.

POINT 1 - PNE EXCLUSION

THE US AND FRENCH POSITIONS ARE THE SAME. THE FRENCH WILL AGREE TO INCLUDE A PNE EXCLUSION PROVISION IN CONNECTION WITH NUCLEAR EXPORTS.

POINT 2 - IAEA SAFEGUARDS AND TRIGGER LIST

THE FRENCH ARE WILLING TO AGREE TO A GENERAL COMMITMENT TO REQUIRE IAEA SAFEGUARDS, WITH SUITABLE PROVISIONS FOR SECRET

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DURATION AND COVERAGE, AS PROPOSED BY THE US. HOWEVER, IN PARAGRAPH TWO THEY PROVIDE FOR IMPOSING BILATERAL SAFEGUARDS RATHER THAN IAEA SAFEGUARDS IN EXCEPTIONAL CASES. IN EXPLAINING THIS CLAUSE, THE FRENCH DELEGATION STRESSED THAT THERE WAS NO INTENT TO UNDERMINE THE UNIVERSAL APPLICATION OF IAEA SAFEGUARDS. RATHER, THEY WERE INTRODUCING MINIMAL FLEXIBILITY TO PERMIT THE HANDLING OF EXCEPTIONAL CASES. IN SUCH CASES, THEY PROPOSED OBLIGATORY CONSULTATIONS WITH OTHER SUPPLIERS. AT ONE POINT, THEY IMPLIED THAT DECISIONS TO USE BILATERAL SAFEGUARDS IN EXCEPTIONAL CASES WOULD REQUIRE AGREEMENT BY OTHER SUPPLIERS, ALTHOUGH THIS WAS NOT STATED EXPLICITLY.

WITH REGARD TO FORMULATION OF A LIST OF EXPORTS THAT WOULD TRIGGER SAFEGUARDS, THE FRENCH ARE WILLING TO ACCEPT

THE ZANGGER LIST POSSIBLY WITH A FEW REASONABLE ADDITIONS (E.G. HEAVY WATER PLANTS). THEY WOULD NOT WANT TO SEE A MAJOR EXPANSION TO INCLUDE MORE DETAILED LISTING OF EQUIPMENT. ON THE OTHER HAND, THE FRENCH MAY BE WILLING TO ACCEPT NEW ITEMS AS THE CIVIL NUCLEAR TECHNOLOGY DEVELOPS AND AS OTHER REASONABLE ITEMS FOR INCLUSIONS ARE IDENTIFIED.

WITH THE POSSIBLE EXCEPTION OF ADDING SPECIFIC ITEMS TO THE ZANGGER LIST AND THE DECISION PROCESS FOR PERMITTING EXCEPTIONS, GIVEN OBLIGATORY CONSULTATIONS, THE US SHOULD HAVE LITTLE SUBSTANTIVE PROBLEM WITH THE FRENCH POSITION ON POINT TWO.

POINT 3

THE US PROPOSAL SUGGESTED IAEA SAFEGUARDS ON THE ENTIRE FUEL CYCLE, A NON-PROLIFERATION (E.G., AN NPT OR NFZ) COMMITMENT, AND MULTINATIONAL OWNERSHIP IN CONNECTION WITH EXPORT OF REPROCESSING AND ENRICHMENT EQUIPMENT AND TECHNOLOGY AND ON EXPORT OF HIGHLY ENRICHED URANIUM AND PLUTONIUM FOR POWER REACTORS. IN THE JANUARY TALKS, THE US ALSO PROPOSED THAT SUPPLIERS AGREE TO ENCOURAGE MULTINATIONAL ENRICHMENT AND REPROCESSING FACILITIES AND TO DISCOURAGE FURTHER TRANSFER OF TECHNOLOGY/KNOW-HOW TO NNWS FOR DEVELOPING A NATIONAL FUEL CYCLE PENDING REVIEW AND STUDY OF THE BENEFITS OF MULTINATIONAL FACILITIES.

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THE FRENCH POSITION PRESENTED IN THE PAPER DOES NOT ACCEPT THE US PROPOSAL FOR IAEA SAFEGUARDS ON THE ENTIRE FUEL CYCLE AND A NON-PROLIFERATION COMMITMENT AS NECESSARY CONDITIONS FOR SUPPLY. ON THE OTHER HAND, THE FRENCH GOVERNMENT HAS SUGGESTED, AS AN ALTERNATIVE, SAFEGUARDS ON TECHNOLOGY TRANSFER ON SENSITIVE EXPORTS AND WOULD BE WILLING TO ENCOURAGE NNWS TO JOIN IN ENTERPRISES WITH MULTINATIONAL PARTICIPATION FOR ENRICHMENT OR REPROCESSING.

IN FACT, THE US AND FRENCH POSITIONS ARE NOT AS CLEARLY DELINEATED AS THE ABOVE TEXTS WOULD INDICATE. ON ENRICHMENT, THE FRENCH WILL PROBABLY NOT TRANSFER ITS DIFFUSION TECHNOLOGY TO ANOTHER PARTY AND ANY SITINGS IN THIRD COUNTRIES WOULD INCLUDE MAJOR FRENCH OWNERSHIP AND INVOLVEMENT PRIMARILY FOR COMMERCIAL RATHER THAN NON-PROLIFERATION REASONS. SUCH SITINGS WOULD PROBABLY ONLY BE CONSIDERED IN VERY STABLE THIRD COUNTRIES WHERE THE POSSIBILITY OF NATIONALIZATION OR ABROGATION OF AGREEMENTS WAS NEGLIGIBLE. ON CHEMICAL REPROCESSING, HOWEVER, THEY SHOW LITTLE RELUCTANCE TO SELLING EITHER TECHNOLOGY OR EQUIPMENT TO NNWS FOR DEVELOPMENT OF A NATIONAL FUEL

CYCLE EXCEPT IN THE MOST EXTREME CASES (E.G., LIBYA). FRENCH ENCOURAGEMENT OF MULTINATIONAL REPROCESSING SEEMS TO BE LIMITED TO SUPPORT OF STUDIES IN THE AREA. IN THEIR EXPLANATION, THE FRENCH DELEGATION ALSO SAID THAT "ENCOURAGING" WOULD PROBABLY NOT MEAN THAT THEY WOULD DENY A SALE OF REPROCESSING TECHNOLOGY OR EQUIPMENT TO A COUNTRY LIKE ARGENTINA, IF APPROACHED BY FRENCH INDUSTRY FOR SUCH A SALE.

THE FRENCH ARE PROPOSING IN THEIR PAPER, AS AN ALTERNATIVE TO THE US SUGGESTIONS ON REPROCESSING, THAT THE TECHNOLOGY TRANSFER BE SAFEGUARDED BY REQUIRING AS A CONDITION OF SALE THAT ANY FUTURE FACILITIES CONSTRUCTED IN THE COUNTRY UTILIZING THE SAME PRINCIPLES OF OPERATION WOULD

HAVE TO BE SAFEGUARDED. CANADA AND THE FRG HAVE ALSO PROPOSED THE SAME CONCEPT. THE CANADIAN POSITION CURRENTLY CALL FOR BROADENING THIS CONCEPT TO APPLY TO ALL ITEMS ON THE TRIGGER LIST. THE FRENCH IN DISCUSSIONS HAVE

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EXPRESSED SOME INTEREST IN INCLUDING OTHER EXPORTS SUCH AS CANDU REACTORS TECHNOLOGY BUT WERE RELUCTANT TO GO BEYOND THEIR SPECIFIC GUIDANCE, WHICH WOULD APPLY TO THIS IDEA TO REPROCESSING.

ON REPROCESSING, THEREFORE, THE FRENCH VIEW IS TO CONTINUE TO EXPORT BUT TO ADD SAFEGUARD CONSTRAINTS ON TECHNOLOGY IN ORDER TO INSURE THAT AN UNSAFEGUARDED REPROCESSING CAPABILITY COULD NOT BE BUILT ON THE BASIS OF FRENCH EXPORTS. THE FRENCH VIEW THEN IS TO CONTINUE COMMERCIAL SALE UNDER SAFEGUARDS. THE US VIEW, ON THE OTHER HAND, IS THAT A NATIONAL REPROCESSING CAPABILITY LEADS DIRECTLY TO A NUCLEAR EXPLOSIVE CAPABILITY. IN ADDITION, A NATIONAL REPROCESSING CAPABILITY MAKES ECONOMIC SENSE ONLY IF A COUNTRY HAS A VERY LARGE CIVIL NUCLEAR INDUSTRY AND EVEN THEN WILL NOT BE ECONOMICALLY JUSTIFIABLE UNTIL THE COST OF NATURAL URANIUM INCREASES SIGNIFICANTLY. THUS THE TACTICAL IMPLICATION OF THE US POSITION IS TO DELAY AND DISCOURAGE ACQUISITION OF NATIONAL REPROCESSING CAPABILITIES IN NNWS AND PERHAPS EVENTUALLY PERMIT DEVELOPMENT IN THE CONTEXT OF MULTINATIONAL ENTERPRISES UNDER STRINGENT CONSTRAINTS TO INSURE BOTH SAFEGUARDS AND INHIBIT ABROGATION

ON EXPORT OF WEAPON-USABLE MATERIAL THE FRENCH VIEW IS TO APPLY NO SPECIAL CONSTRAINTS; THE DECISION TO EXPORT OR NOT EXPORT WOULD BE MADE ON A CASE-BY-CASE BASIS BY EACH SUPPLIER (E.G., TO INDIA BUT NOT LIBYA). THE US INITIAL POSITION WAS TO APPLY SPECIAL CONSTRAINTS TO SUCH EXPORTS SUCH AS REQUIRING THE WHOLE CYCLE UNDER IAEA SAFEGUARDS

ADEQUATE PHYSICAL SECURITY AND A NON-PROLIFERATION COMMITMENT. PRESENTLY, WE ARE EXAMINING THE POSSIBILITY OF LEASING THE HEU AND PU FUEL RODS TO INSURE A GREATER DEGREE OF CONTROL OVER THIS MATERIAL.

BASED ON OUR UNDERSTANDING OF THE FRENCH VIEW DOUBTFUL THAT WE WILL BE ABLE TO PERSUADE THE FRENCH EITHER ON A BILATERAL BASIS OR IN A MULTINATIONAL MEETING TO AGREE TO MORE STRINGENT CONSTRAINTS THAN PROPOSED IN THEIR PAPER ON EXPORT OF REPROCESSING AND EXPORT OF WEAPONS-USABLE MATERIAL. ON THE OTHER HAND, WE MAY BE ABLE TO GET FRENCH SUPPORT ON MORE STRINGENT CONDITIONS ON ENRICHMENT. HOWEVER
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IT MAY BE DIFFICULT, PARTICULARLY IN A MULTILATERAL CONTEXT, FOR THE FRENCH TO SUPPORT MORE STRINGENT CONDITIONS ON ENRICHMENT WITHOUT UNDERMINING THE FRENCH POSITION ON REPROCESSING.

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POINT 4 - PHYSICAL SECURITY

ALTHOUGH THE US HAS NOT TOTALLY FLESHED OUT ITS POSITION IN THIS AREA, THE FRENCH SEEM GENERALLY AMENABLE TO WHAT WE HAVE TOLD THEM OF OUR APPROACH:

A) SUPPORT FOR AN INTERNATIONAL CONVENTION ON PHYSICAL SECURITY;

B) A PROVISION IN SUPPLIER/RECIPIENT AGREEMENTS FOR ADEQUATE PHYSICAL SECURITY.

POINT 5 - SALES TO SENSITIVE AREAS

ON THIS POINT, THE FRENCH ARE MAKING IT RATHER CLEAR THAT THEY WILL NOT ACCEPT A COCOM-TYPE CONSULTATIVE ARRANGEMENT, IDENTIFICATION OF ANY BLACKLIST OF COUNTRIES, DELINEATION OF SENSITIVE EXPORTS OR AGREEMENT TO SPECIFIC SPECIAL CONSTRAINTS. THEY WOULD BE WILLING TO AGREE TO SOME CONSULTATION WITH OTHER APPROPRIATE SUPPLIERS AT THE DISCRETION OF EACH SUPPLIER. THE US APPROACH TO THIS POINT HAS BEEN TO SUGGEST THAT CONSULTATIONS ARE NEEDED IN THIS AREA AND SOME FRAMEWORK FOR THESE CONSULTATIONS AND POSSIBLE SPECIAL CONSTRAINTS SHOULD BE DISCUSSED IN THE SUPPLIERS MEETING. THE FRENCH APPEAR RELUCTANT EVEN TO DISCUSS THIS ISSUE IN A MULTILATERAL CONTEXT BECAUSE OF THE DELICACY OF THE ISSUE. PERHAPS THE MOST WE CAN EXPECT FROM THE FRENCH ON THIS POINT IN A MULTILATERAL CONTEXT IS GENERAL DISCUSSION OF POSSIBLE CONSTRAINTS AND AGREEMENT TO HAVE SOME CONSULTATIONS AMONG APPROPRIATE SUPPLIERS AT THE DISCRETION OF EACH SUPPLIER. ON THE OTHER HAND, THE FRENCH HAVE SHOWED

A WILLINGNESS IN OUR BILATERALS TO CANDIDLY DISCUSS WITH THE US THE DETAILS OF THEIR CURRENT AND PROPOSED EXPORTS TO VARIOUS COUNTRIES. MOREOVER, THEY HAVE ACKNOWLEDGED THAT SOME COUNTRIES MUST BE TREATED DIFFERENTLY THAN OTHERS. IF THIS EXCHANGE IS INDICATIVE OF THE PROCESS THE FRENCH
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ENVISAGE, SUCH AN OUTCOME WOULD REPRESENT A MAJOR STEP TOWARD COORDINATING US AND FRENCH EXPORT POLICIES. HOWEVER, OTHER PARTICIPANTS MAY SEE THIS AS AN UNSATISFACTORY OUTCOME FROM THEIR POINT OF VIEW.

COMPARISON OF FRENCH AND US VIEWS ATTACHMENT

US AND FRENCH SUGGESTED POLICIES FOR DISCUSSION

US - 1. NUCLEAR COOPERATION WOULD BE UNDERTAKEN WITH NON-NUCLEAR WEAPON STATES ONLY UNDER AGREEMENTS AS TO PEACEFUL USES, WHICH WOULD EXPLICITLY EXCLUDE USE IN ANY NUCLEAR EXPLOSIVE DEVICES.

FRENCH - 1. SAME AS US TEXT.

US - 2. NUCLEAR SUPPLY WOULD BE UNDERTAKEN ONLY WHEN COVERED BY IAEA SAFEGUARDS, WITH APPROPRIATE PROVISIONS FOR DURATION AND COVERAGE OF PRODUCED NUCLEAR MATERIAL.

FRENCH - 2. THE FRENCH GOVERNMENT IS READY TO DETERMINE AT A LATER STAGE, A LIST OF MATERIALS AND EQUIPMENT SIMILAR BUT NOT MORE EXTENSIVE THAN THE ,ANGGER LIST. SUPPLY OF MATERIALS OR EQUIPMENT OF THIS LIST TO NON-NUCLEAR WEAPON STATES WILL AUTOMATICALLY CALL FOR IAEA SAFEGUARDS WITH COVERAGE OF PRODUCED NUCLEAR MATERIAL AND FOR A DURATION CORRESPONDING TO THE LENGTH OF USE OF THE EQUIPMENT OR THE PRESENCE OF THE NUCLEAR MATERIAL CONCERNED IN THE COUNTRY.

HOWEVER FOR EXCEPTIONAL REASONS IT SHOULD BE POSSIBLE TO TRANSGRESS THE ABOVE PRINCIPLE AND MAKE USE FOR INSTANCE OF BILATERAL SAFEGUARDS IN WARNING SUFFICIENTLY IN ADVANCE THE COUNTRIES CONCERNED.

US - 3. SUPPLY OF WEAPONS-GRADE MATERIAL, OR OF URANIUM ENRICHMENT OR CHEMICAL REPROCESSING EQUIPMENT OR TECHNOLOGY, TO NON-NUCLEAR WEAPON STATES SHOULD BE SUBJECT RESTRAINT. SUCH SPECIAL RESTRAINT MIGHT INCLUDE SUPPLY ONLY FOR ENTERPRISES WITH MULTINATIONAL PARTICIPATION,
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OR ONLY TO THOSE NON-NUCLEAR WEAPON STATES WHICH HAVE MADE A GENERAL COMMITMENT TO NON-PROLIFERATION, AND WHICH HAVE ACCEPTED IAEA SAFEGUARD ON THEIR ENTIRE NUCLEAR FUEL CYCLE.

FRENCH - 3. THE FRENCH GOVERNMENT IS NOT READY TO REFUSE THE SUPPLY WITH APPROPRIATE IAEA SAFEGUARDS OF WEAPON GRADE MATERIAL OR OF URANIUM ENRICHMENT OR CHEMICAL REPROCESSING EQUIPMENT OR TECHNOLOGY TO NON-NUCLEAR WEAPON COUNTRIES WHO HAVE NOT ACCEPTED IAEA SAFEGUARDS ON THEIR ENTIRE FUEL CYCLE IF THESE COUNTRIES DO NOT AGREE TO THAT LAST CONDITION.

THE FRENCH GOVERNMENT IS ON THE OTHER HAND READY TO ENCOURAGE NON-NUCLEAR STATES TO JOIN IN ENTERPRISES WITH MULTINATIONAL PARTICIPATION FOR URANIUM ENRICHMENT OR CHEMICAL REPROCESSING.

FURTHERMORE THE FRENCH GOVERNMENT WOULD LIKE TO EXPLORE WITH THE UNITED STATES GOVERNMENT THE FOLLOWING IDEAS OBTAINING AN UNDERTAKING FROM COUNTRIES WHO WILL ACCEPT IAEA SAFEGUARDS ON SENSITIVE EQUIPMENTS OR ON A GIVEN NUCLEAR INSTALLATION THAT THEY WILL NOT REPRODUCE SUCH AN EQUIPMENT OR INSTALLATION AT THE SAME SCALE OR AT ANOTHER SCALE WITHOUT SUBMITTING THEM ALSO TO THE IAEA SAFEGUARDS.

US - 4. NUCLEAR SUPPLY WOULD INCLUDE APPROPRIATE REQUIREMENTS FOR THE PHYSICAL PROTECTION OF MATERIALS AND FACILITIES AGAINST THEFT, SEIZURE OR SABOTAGE.

FRENCH - 4. THE FRENCH GOVERNMENT IS READY TO INSTITUTE REGULAR EXCHANGE OF VIEWS ON THE PROBLEM OF PHYSICAL PROTECTION OF NUCLEAR MATERIALS AND INSTALLATIONS (THEFT, SEIZURE, OR SABOTAGE) AND IS READY TO INCLUDE A CLAUSE CONCERNING THIS PROBLEM IN FUTURE AGREEMENTS CONCERNING ITS EXPORTS OF SENSITIVE SUPPLIES.

US - 5. STRINGENT CONDITIONS MIGHT BE DEVELOPED ON THE SUPPLY OF SENSITIVE NUCLEAR MATERIAL, EQUIPMENT, OR TECHNOLOGY TO COUNTRIES OR REGIONS WHERE SUCH EXPORTS WOULD

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CONTRIBUTE TO THE PARTICULAR RISKS OF CONFLICT OR INSTABILITY.

FRENCH - 5. THE FRENCH GOVERNMENT IS READY TO FOLLOW THE FIFTH PROPOSAL OF THE AMERICAN GOVERNMENT. IT CANNOT ACCEPT THE ESTABLISHMENT OF A LIST OF SPECIAL MEASURES NOR THE PRINCIPLE OF COMPULSORY EXCHANGES OF VIEWS.

IT IS HOWEVER READY TO EXCHANGE VIEWS ON THE USEFULNESS OF CONSIDERING THAT A SUPPLIER STATE COULD TAKE THE INITIATIVE IN SPECIFIC CASES CONCERNING COUNTRIES OR REGIONS UNDER PARTICULAR TENSION, TO HAVE CONVERSATIONS WITH ONE OR A FEW OTHER STATES ON SUPPLEMENTARY STRINGENT CONDITIONS THAT COULD BE TAKEN IN A WAY THAT THESE MEASURES SHOULD NOT RISK TO CREATE DISTORTIONS OF COMPETITION IN BETWEEN THOSE STATES.

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